

## **STATE PROPERTIES COMMITTEE MEETING**

**TUESDAY, DECEMBER 21, 2010**

The meeting of the State Properties Committee was called to order at 10:04 a.m. by Chairman Kevin M. Flynn. Other members present were Robert Griffith representing the Rhode Island Department of Administration; Richard Woolley representing the Rhode Island Department of Attorney General; Robert W. Kay, Public Member; Michael Sligar representing the Rhode Island Office of the General Treasurer, Ex-officio Member. Others in attendance were Anthony Paolantonio from the Rhode Island House of Representatives; Meredith Pickering from the Rhode Island Senate Fiscal Office; Robert B. Jackson from the Rhode Island Department of Transportation; Mary E. Kay, Lisa Primiano, Terri Bisson, Robert Paquette and Lawrence Mouradjian from the Rhode Island Department of Environmental Management; J. Vernon Wyman from the University of Rhode Island.

Chairman Flynn stated for the record that the State Properties Committee did have a quorum present.

**ITEM A – Board of Governors for Higher Education/University of Rhode Island – A request was made for approval of and signatures on Amendment Two to Lease Agreement by and between East Farm Commercial Fisheries Center (the “Center”) and the Board of Governors for Higher Education/University of Rhode Island (the “University”). Mr. Wyman explained that this item was previously approved by both the Board of Governors and the State Properties**

**Committee in December of 2003. There is a building on the East Farm Campus that was most likely a residence when the farm was active; however, in 2003, the building was vacant. Mr. Wyman indicated that an organization, which serves the commercial fisheries industry in the State of Rhode**

**Island approached the University with an interest in occupying said building subject to performing certain renovations. Mr. Wyman stated that the renovations were completed and the East Farm Commercial Fisheries Center began its occupancy of the building in 2003. The Center occupied the premises in accordance with the initial five (5) year term of the Lease Agreement, and is now in the midst of the second five (5) year term provided for under said Lease Agreement. The Center recently approached the University indicating that funds have been made available to it in the amount of \$175,000.00, which the Center would like to invest in the subject property to make further improvements to the interior of the building. The Center would also like to make the building easily accessible for disabled/handicapped individuals and to construct a more appropriate conference and meeting facility. Mr. Wyman noted that the relationship between the Center and the University has been a very positive experience thus far. The University's Fisheries Program is based on East Farm and the Center's presence there has provided beneficial connections to the commercial fishing industry, which would otherwise not be available to the students. Many of the program's graduates have benefited from said connections when entering into the commercial fishing business. For the reasons stated**

above, the University is seeking approval of an Amendment of the Lease Agreement to extend the term of said Lease. Mr. Wyman stated that the Lease Agreement is due to expire in 2013; the proposed amendment would extend the term until 2020, and include a five (5) year renewal option. Mr. Wyman explained that the University will not only benefit from the proposed renovation of the building that otherwise could not be achieved, but will also benefit. The program and the students will continue to benefit from its association with the Center. Chairman Flynn clarified that the renovations will not require any funding from the State. Mr. Woolley asked if the University will own the building when, for whatever reason, the Lease Agreement is terminated or expires. Mr. Wyman stated that is correct. A motion to approve was made by Mr. Woolley and seconded by Mr. Kay.

**Passed Unanimously**

**ITEM B – Department of Environmental Management – A request was made for approval of and signatures on a Warranty Deed by and between Lloyd E. and Catherine A. Cook and the Department of Environmental Management for the acquisition of 5,227 square feet of land located on Burdickville Road in the Town of Charlestown. Ms. Primiano noted that the State Properties Committee approved and executed the Purchase and Sale Contract relative to this property on or about October 26, 2010. Ms. Primiano explained that the subject property is significant in that it allows for portage, which will connect three (3) contiguous miles of river frontage along the Pawcatuck River. Ms. Primiano noted that the Department has been interested in this property for many years and through the use of Open Space**

**Bond Funds requests the Committee's approve to purchase said property at this time. A motion was made to approve by Mr. Woolley and seconded by Mr. Griffith.**

**Passed Unanimously**

**ITEM C – Department of Environmental Management – A request was made for authorization to modify the process by which automatic renewals of lease holdings within the Port of Galilee in the Town of Narragansett are currently approved. Ms. Bisson indicated that the Department administers approximately thirty-five (35) leases most of which are land leases. Ms. Bisson explained that typically the Department leases the land and the tenant constructs its own facility on said property. Many of these leases are long term leases and some include terms of up to forty (40) years; however, the terms are broken down into five (5) year increments with automatic renewal options. Ms. Bisson stated that the automatic renewal options are subject to increases in rental fees, which must be approved by the State Properties Committee. Ms. Bisson explained that several years ago, the Department conducted a port-wide appraisal in order to save both money and time in terms of processing said land leases. Ms. Bisson noted that the State Properties Committee subsequently approved a process that authorized the Department to utilize a zoning approach to the appraisals, which established rental values for the land leased within the Port of Galilee. The rental fees are re-evaluated every three (3) years. Ms. Bisson explained as the rental values have already been established and the lease agreements contain automatic renewal options, the Department believes it will be much more**

efficient to process these renewal requests internally. Ms. Bisson noted that the Department has developed a process to accomplish this, which includes an approval form and a method of notifying the State Properties Committee when the Department approves a request to renew a lease. The Department developed this process to streamline the administering of the subject leases to make it more efficient for both the Department and the State Properties Committee. Chairman Flynn clarified that this modified process would eliminate the need for the Department to bring each and every renewal request to the Committee individually. Ms. Bisson stated that is correct. However, Chairman Flynn assumes that if a lease hold should change, the Department is required to submit the new

request to the Committee for its approval. A motion was made to approve by Mr. Kay and seconded by Mr. Griffith.

**Passed Unanimously**

**ITEM D – Department of Environmental Management – A request for approval of and signatures on an Indenture of Lease by and between the Department of Environmental Management and Daniel Pucelli for the caretaker's residence located at Burlingame State Campground, 100 Burlingame Road in the Town of Charlestown. Ms. Bisson stated that Mr. Pucelli was selected for the position of caretaker at the Burlingame State Campground in accordance with the Department's established policies and procedures. The caretaker's residence comprises three (3) bedrooms and is located in the center of Burlingame State Park. Mr. Pucelli is currently the caretaker for**

Fishermen's Memorial State Park, but will soon be relocating to Burlingame. The Indenture of Lease for Fishermen's Memorial State Park will terminate upon Mr. Pucelli's relocation. The term of the subject Indenture of Lease is from December 15, 2010, through December 31, 2013. The tenant will pay rent through biweekly installments of \$323.00 via automatic payroll deductions. Mr. Pucelli is responsible for surveillance of the campground/park and is also be required to maintain the lawn and property around the residence. Mr. Kay asked if the tenant is required to secure adequate insurance coverage, naming the State of Rhode Island as additionally insured. Ms. Bisson stated that is correct. Chairman Flynn asked if the Department plans to find a replacement for the caretaker's position at Fishermen's Memorial State Park. Ms. Bisson stated that the Department is in the process of selecting a qualified tenant. A motion was made to approve by Mr. Woolley and seconded by Mr. Griffith.

**Passed Unanimously**

**ITEM E – Department of Transportation – A request was made for approval of and signatures on a Site License Agreement by and between the Department of Transportation and Metro PCS Massachusetts, LLC to allow Metro PCS to co-locate telecommunications equipment on Site 4FR 8608-A located at 89 Westerly – Bradford Road in the Town of Westerly. Mr. Jackson noted that this is the first co-location request the Department has received relative to this site. Mr. Jackson stated that the assessed fee for this co-location is \$750.00, per month, or \$9,000, per year.**

**Metro PCS Massachusetts, LLC has secured the required insurance coverage naming the State as an additional insured. Mr. Woolley asked if this site can accommodate additional co-location agreements. Mr. Jackson stated that the site can certainly accommodate several other co-location agreements. A motion to approve was made by Mr. Woolley and seconded by Mr. Griffith.**

**Passed Unanimously**

**ITEM F – Department of Administration – A request for approval of and signatures on a Warranty Deed transferring title to the property referred to as Condominium Unit One, located at One Avenue of the Arts in the City of Providence to the Urban Heritage Providence Hotel, LLC. Item F is deferred to the January 4, 2011, meeting of the State Properties Committee at the request of the Department of Administration.**

**There being no further business to come before the State Properties Committee, the meeting was adjourned at 10:20 a.m. The motion to adjourn was made by Mr. Griffith and seconded by Mr. Woolley.**

**Passed Unanimously**

---

**Holly H. Rhodes, Executive Secretary**

**State Properties Committee**